

UPAN010047182026

**IN THE COURT OF THE SESSIONS JUDGE, AMBEDKAR NAGAR****Bail Application No.:** 768/2026**CNR No.:** UPAN010047182026**In the Matter of:****Zafar Supari alias Khan Zafar**, Son of Rajialam, Resident of Village Harsamhar, Police Station Hanswar, District Ambedkar Nagar.*... Applicant / Accused***Versus****State of Uttar Pradesh***... Prosecution / Opposite Party***Order Date:** June 12, 2026**Case Crime No.:** 116/2024

Under Sections: Sections 386 (Extortion by putting a person in fear of death or grievous hurt), 504 (Intentional insult), 506 (Criminal intimidation), 507 (Criminal intimidation by anonymous communication), and 120B (Criminal conspiracy) of the Indian Penal Code (IPC), 1860.

Police Station: Hanswar, District Ambedkar Nagar

This is the first regular bail application structured on behalf of the applicant/accused, Zafar Supari alias Khan Zafar, preferred under **Section 439 of the Code of Criminal Procedure, 1973** (corresponding Section 483 of the BNSS, 2023), supported by an affidavit purportedly executed by one Nebulal, designated as the *paurokar* of the accused.

Points for Determination

The following procedural and legal points arise for determination in this application:

1. Whether a regular bail application can be legally sustained or entertained when the designated *paurokar* disowns the supporting affidavit, alleging absolute forgery and identity theft.
2. Whether the deployment of a forged or manufactured affidavit to seek judicial relief constitutes a fraud upon the Court, rendering the application liable for outright rejection on technical thresholds without going into the factual merits.

Findings

1. Procedural Trajectory & The Incident of Forgery

The present bail application was filed in connection with Case Crime No. 116/2024 for severe offences including extortion and criminal conspiracy. At the time of the hearing, a remarkable procedural anomaly came to light. One Nebulal, Son of Lalta Prasad, Resident of Village Rasulpur Khaspur, P.S. Aliganj, District Ambedkar Nagar, physically appeared before this Court and moved a separate application accompanied by a personal affidavit.

Nebulal stated under oath that:

1. He unexpectedly received information from an outside source that he had been made the *paikar* and deponent in Bail Application No. 768/2026 (*Zafar Supari @ Khan Zafar v. State of U.P.*).
2. Upon inspecting the court records through his private counsel, he confirmed that his credentials were deliberately misused.
3. He categorically denied preparing the supporting affidavit, appending his signatures, or providing his photograph or copy of his Aadhaar Card to any individual for this application.
4. He declared himself completely unacquainted with the accused or the facts of Case Crime No. 116/2024, requesting the Court to seal the forged affidavit and initiate appropriate legal steps in the interest of justice.

2. Physical and Signatorial Verification by the Court

To ascertain the veracity of these allegations, this Court directly conducted a physical evaluation and verification:

1. **Photographic Alignment:** The physical features of Nebulal, who was present in open court, were matched with the photograph affixed onto the bail application's supporting affidavit. The photograph was confirmed to be a true likeness of Nebulal.
2. **Signature Discrepancy:** This Court meticulously compared the admitted signatures executed by Nebulal on his fresh application/margin notes with the signatures appearing on the contested bail affidavit. The two sets of signatures were completely different and displayed clear variances.

Prima facie, it is established that Nebulal's identity markers and photographs were unauthorisedly harvested to build a counterfeit affidavit to fulfil the filing criteria for the accused.

3. Legal Rationale for Rejection

A regular bail application can be maintained only if it is supported by a legally valid affidavit sworn by a competent deponent or a verified *paikar*. The disclosure that the foundational affidavit is a product of fabrication strips the application of any valid legal standing.

It is a core doctrine of Indian jurisprudence that "**Fraud vitiates all solemn proceedings.**" As ruled by the Hon'ble Supreme Court in the landmark case of [S.P. Chengalvaraya Naidu v. Jagannath: 1994 SCC \(1\) 1](#):

"A court of law is a place of justice and a person whose case is based on falsehood or fraud has no right to approach the court. A judicial decision or proceeding obtained by playing fraud on the court is a nullity and must be thrown out at any stage."

Furthermore, in [Dnyandeo Sabaji Naik v. Pradnya Prakash Nirothe: AIR ONLINE 2017 SC 515](#), the apex court held that attempts to mislead the judiciary must be met with a firm hand to preserve the sanctity of the legal system.

Because the person identified as the *paikar* has completely disowned the application and *prima facie* demonstrated signatorial forgery, this bail application is procedurally compromised. Consequently, it is liable to be rejected entirely on this technical threshold, bypassing any evaluation of the case merits.

Order

The first regular bail application moved on behalf of the applicant/accused **Zafar Supari alias Khan Zafar** in connection with Case Crime No. 116/2024, under Sections 386, 504, 506, 507, and 120B IPC, Police Station Hanswar, District Ambedkar Nagar, is hereby **Rejected on technical grounds**, completely independent of the factual merits of the case.

The original contested affidavit and the verification application moved by Nebulal shall be preserved securely in the case records for future reference and necessary legal inquiries regarding the source of the forgery.

(**Chandroday Kumar**)

Sessions Judge, Ambedkar Nagar

J.O. Code No.: UP6553

Date: 12.06.2026